

<b>Policy Number</b>	<b>AREA12-600</b>
<b>Subject</b>	Youth Eligibility and Additional Assistance Policy
<b>Board Approved</b>	8/6/18
<b>Revisions Approved</b>	
<b>This Policy Obsoletes</b>	
<b>Reference to State Policy</b>	WIOAAPL No.15-03

**Purpose:**

The policy on eligibility and registration ensures that every Workforce Innovation and Opportunity Act (WIOA) participant who receives CCMEP (Comprehensive Case Management and Employment) WIOA funded services is eligible and registered to receive those services. The Workforce Innovation Act describes eligibility requirements for youth and young adults seeking services under WIOA. The guidelines below describe WIOA mandated youth-eligibility categories and additional categories developed at the local level.

**Background:**

The WIOA affirms the commitment to provide high quality services for youth and young adults beginning with career exploration and guidance, continued support for educational attainment, opportunities for skills training in in-demand industries and occupations, and culminating with a good job along a career pathway or enrollment in post-secondary education.

The WIOA youth program is designed to provide services, employment, and training opportunities to those who can benefit from, and who are in need of such opportunities.

**Definitions:**

Age of compulsory school age: a child who is between 6 and 18 years of age.

Alternative school: schools which offer specialized, structured curriculum inside or outside of the public school system which may provide work/study and/or academic intervention for students with behavior problems, physical/mental disabilities, who are at-risk of dropping out, who are institutionalized or adjudicated youth and/or youth who are in the legal custody of the Ohio Department of Youth Services and are residing in an institution. An alternative school must be approved by the local education agency.

Attending school: an individual who is enrolled and/or attending secondary or postsecondary school.

Basic skills deficient: a youth who has English reading, writing, or computing skills at or below the 8th grade on a generally accepted standardized test or who is unable to compute or solve problems, or read, write, or speak English, at a level necessary to function on the job, in the individual's family, or in society.

Charter school: public, nonprofit, nonsectarian, tuition-free schools operating independently of a school district, but under contract with a Sponsor that has been approved by the Ohio Department of Education.

Chronic truant: any child of compulsory school age who is absent without legitimate excuse for absence from the public school the child is supposed to attend for 7 or more consecutive school days, 10 or more school days in one month, or 15 or more school days in a school year.

Covered individual: an eligible in-school youth, or an eligible out-of-school youth who is low income and meets one of the following criteria:

- a. Has a secondary school diploma or its recognized equivalent and is basic skills deficient or an English language learner; or
- b. Requires additional assistance to enter or complete an educational program or to secure or hold employment.

Disability: Any person who has a physical, sensory, or mental impairment, which substantially limits one or more major life activities per the American Disabilities Act of 1990 (42 U.S.C. 12102) and has record of such impairment or is regarded as having such impairment.

Enrollment: the collection of information to support eligibility determination and participation in any one of the 14 program elements.

Family: two or more persons related by blood, marriage, or decree of court, who are living in a single residence and are included in one or more of the following categories:

- a. Two spouses and dependent children.
- b. A parent or guardian and dependent children.
- c. Two spouses.

Habitual truant: any child of compulsory school age who is absent without legitimate excuse for absence from the public school the child is suppose to attend for 5 or more consecutive days, 7 or more school days in one school month, or 12 or more school days in a school year.

Homeless children and youth (section 725 (2) of the McKinney-Vento Homeless Assistance Act): An individual who lacks a fixed, regular, and adequate nighttime residence and includes the following:

- a. Children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;
- b. Children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
- c. Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
- d. Migratory children who qualify as homeless for the purpose because the children are living in one of the previously mentioned circumstances.

Homeless individual (as defined in section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2(6)): An individual who lacks a fixed, regular, and adequate nighttime residence and includes:

- a. An individual who:
  - Is sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;
  - Is living in a motel, hotel, trailer park, or campground due to the lack of alternative adequate accommodations;
  - Is living in an emergency or transitional shelter;
  - Is abandoned in a hospital; or
  - Is awaiting foster care placement.
- b. An individual who has a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings; or
- c. Migratory children who qualify as homeless because the children are living in circumstances listed above.

Individual with a disability: an individual with a disability as defined in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102).

Lower living standard income level: As defined in section 3 (36)(b) of WIOA, income level (adjusted for regional, metropolitan, urban, and rural differences and family size) determined annually by the Department of Labor based on the most recent lower living family budget issued by the Secretary.

Low-income individual: As defined in section 3 (36)(a) of WIOA, an individual who -

- a. Receives, or in the past 6 months has received, or is a member of a family that is receiving or in the past 6 months has received, assistance through the supplemental nutrition assistance program (SNAP), temporary assistance for needy families (TANF), or the supplemental security income (SSI) or local income-based public assistance;
- b. Is in a family with total family income that does not exceed the higher of -
  - The poverty line; or
  - 70% of the lower living standard income level.
  - Is a homeless individual;
  - Receives or is eligible to receive a free or reduced price lunch;
  - Is a foster child on behalf of whom the State or local government payments are made; or
  - Is an individual with a disability whose own income meets the eligibility income requirement of clause (b) but who is a member of a family whose income does not meet this requirement.

Participation: the point at which the individual has been determined eligible for youth program services, has received an assessment, and has received or is receiving at least one program element and is the point at which the individual is to be included in calculations for performance measures.

Postsecondary school: any schooling that follows graduation from high school or completion of high school equivalency, including community colleges, four-year colleges and universities, and technical and trade schools.

Runaway: a young person who has run away from home.

Secondary school: a nonprofit institutional day or residential school, including a public secondary charter school, that provides secondary education as determined under State law, except that the term does not include any education beyond grade 12.

School: any school operated by a board of education, any community school established under Chapter 3314. of the Revised Code, or any nonpublic school for which the state board of education prescribes minimum standards under section 3301.07 of the Revised Code.

School dropout: an individual who is no longer attending any school and has not received a secondary school diploma or its recognized equivalent.

**Policy:**

For any program year, not less than 80% of the funds available to local areas shall be used to provide youth workforce investment activities for out-of-school youth.

**In-School Youth Eligibility Requirements:**

Eligibility for in-school youth, who at the time of enrollment, is:

- a. Attending school;
- b. Not younger than 14 or (unless an individual with a disability who is attending school under state law) older than age 21;
- c. Is a low-income individual; and,
- d. Has one or more of the following barriers:
  - Basic skills deficient;
  - An English language learner;
  - An offender;
  - A homeless individual (as defined in section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2(6))), a homeless child or youth (as defined in section 725 (2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2))), a runaway, in foster care or has aged out of the foster care system, a child eligible for assistance under the John H. Chafee Foster Care Independence Program, or in an out-of-home placement;

- Is pregnant or parenting;
- An individual that is low-income and requires additional assistance for at least one or more of the following:
  - Has emotional, medical, physical, cognitive, or psychological impairment or disability;
  - Has been referred to or is being treated by an agency for a substance abuse problem;
  - Has lack of reliable transportation;
  - Has an Individualized Education Program (IEP);
  - Has experienced recent traumatic events, is a victim of abuse, or resides in an abusive environment, as documented by a school official or professional;
  - Is at risk of dropping out of school;
  - Has repeated at least one secondary grade level;
  - Has been expelled from school within the last 12 calendar months;
  - Youth who has a 2.0 or lower GPA;
  - Has a letter from a guidance counselor asserting his/her need of additional assistance to complete an educational program or to secure or hold employment.
  - Is currently credit deficient (at minimum one grade levels behind peer group);
  - Youth and/or family has record of poor work history or no work history;
  - Resides in a non-traditional family setting (i.e. single parent, lives with guardian, latchkey, domestic partners, etc.)
  - Incarcerated parents
  - The Workforce Investment Board | Butler • Clermont • Warren (WIBBCW) administrative staff has the authority to authorize service to low-income participants on a case-by-case basis if additional needs have been determined.

**Out-of-School Youth Eligibility Requirements:**Eligibility for out-of-school youth, who at the time of enrollment is:

- a. Not attending any school;
- b. Not younger than 16 or older than age 24;
- c. Has one or more of the following barriers:
  - A secondary school dropout;
  - A youth who is within the age of compulsory school attendance, but has not attended school for at least the most recent complete school year calendar quarter;
  - A recipient of a secondary school diploma or its recognized equivalent who is a low income individual and is basic skills deficient or an English language learner.
  - A homeless individual (as defined in section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2(6))), a homeless child or youth (as defined in section 725 (2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2))), a runaway, in foster care or has aged out of the foster care system, a child eligible for assistance under the John H. Chafee Foster Care Independence Program, or in an out-of-home placement;
  - An individual who is pregnant or parenting;

- An individual with a disability;
- An individual that is low-income and requires additional assistance for at least one or more of the following:
  - Has dropped out of a post-secondary educational program;
  - Has repeated at least one secondary grade level;
  - Has been referred to or is being treated by an agency for a substance abuse problem;
  - Has experienced recent traumatic events, is a victim of abuse, or resides in an abusive environment;
  - Has emotional, medical, physical, cognitive, or psychological impairment or disability;
  - Youth and/or family has a poor work history or no work history,
  - Has lack of reliable transportation;
  - Has previously been placed in out-of-home care (foster care)
  - Had below average grades;
  - Currently has incarcerated parent(s) or guardian
  - The (WIBBCW) administrative staff has the authority to authorize service to low-income participants on a case-by-case basis if additional needs have been determined.

**School:**

For the purposes of youth eligibility, school includes secondary and post-secondary schools. It does not include attending classes with Adult Basic and Literacy Education (ASPIRE), YouthBuild, or JobCorps. For the purposes of this policy, if a child is being homeschooled, the child would be considered to be an in-school youth as long as all other eligibility criteria have been met.

**Most Recent Complete School Year Calendar Quarter:**

Because school districts differ in what they use for school year quarters, the time period of a school year quarter is based on how the local school district or the charter school defines its school year quarters.

**Dropout Status:**

A youth's dropout status must be verified at the time of enrollment into the youth program. A youth attending an alternative school at the time of enrollment is not a dropout. A youth who is out-of-school at the time of enrollment and subsequently placed in an alternative school or any school, is still considered an out-of-school youth.

**Basic Skills Deficient:**

Standardized tests must be utilized in determining basic skills deficient. A standardized test is a test that is administered and scored in a consistent, or "standard", manner. Standardized tests are designed in such a way that the questions, conditions for administering, scoring procedures, and interpretations are consistent and are administered and scored in a predetermined, standard manner. Accepted standardized tests may include official school district administered test results, TABE and WorkKeys assessments.

**5% Exception of Youth Eligibility:**

Up to 5% of in-school and out-of-school youth participants served by youth programs in a local area may be individuals who would be covered individuals except that they are

not low-income.

**5% Limitation of In-School Youth Eligibility:**

Not more than 5% of in-school youth may be eligible based upon being an individual who requires additional assistance to complete an educational program or to secure or hold employment.

**Selective Service Eligibility**

Male youth participants who are 18 years of age and older and have fulfilled registration requirements of the Military Selective Service Act (MSSA) are eligible to participate in WIOA-funded programs and services. Workforce Innovation and Opportunity Act Policy Letter No. 15-04, Selective Service Registration, provides guidelines for selective service registration requirements. A male youth applicant, age 18 years old and older, who has not registered for the selective service or who is unwilling to register, will be denied any WIOA program services.

**Co-Enrollment with other Programs**

The Workforce Investment Board | Butler • Clermont • Warren (WIBBCW) encourages co-enrollment across all CCMEP and WIOA core programs when it is appropriate. Individuals must meet the respective program eligibility requirements. The determination of the appropriateness of co-enrollment is based on the service needs of the participant and if the participant is career-ready based on an objective assessment of their occupational skills, prior work experience, employability, and participant's needs. If such concurrent enrollment occurs, the Providers of both CCMEP TANF, CCMEP WIOA Youth and WIOA Adult services must track expenditures separately by program. Youth may not be co-enrolled in the WIOA dislocated worker program, because any youth meeting the eligibility for the dislocated worker program would have already successfully attained a job and would most likely be more appropriately served under the dislocated worker program.

**Eligibility Verification and Documentation**

WIBBCW requires program providers to follow policy WIOAPL 15-07 which establishes the documentation requirements for determining eligibility, maintaining and reporting accurate program and financial requirements. Program providers must also use

**Telephone or Electronic Communication**

In instances where telephone or electronic communication is acceptable and used by the local area, the case file must contain the name of the agency representative, the date of the conversation, and the result of the eligibility verification. Service providers must use the JFS 13188, WIOA Telephone Eligibility Verification, to document telephone communication. If a telephone communication is used to verify dislocation, the case file must contain the date and reason for termination, and a possible recall date if applicable.

**Self-Attestation**

Self-Attestation is allowed as a viable source for documenting low income eligibility for all WIOA Title I program participants. Service providers must use the JFS 13186, Self-Attestation, or the JFS 13187, Citizenship Status/Authorization to Work Self-Attestation forms.